

Meeting Minutes

March 3, 2005

Town of Los Altos Hills

City Council Regular Meeting

Thursday, March 3, 2005 6:00 P.M.

Bullis School Multi-Purpose Room, 25890 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Present: Mayor Mike O'Malley, Mayor Pro Tem Breene Kerr, Councilmember Craig A. T. Jones, Councilmember Jean Mordo and Councilmember Dean Warshawsky

Absent: None

Staff: City Manager Maureen Cassingham, City Attorney Steve Mattas, Planning Director Carl Cahill, Administrative Services Director Sarah Joiner, Acting City Engineer/Public Works Director Dave Ross and City Clerk Karen Jost

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to limit the length of time for public comments to three minutes.

Mayor O'Malley announced that consideration of agenda item 6.3 was being continued to the March 17, 2005 Regular City Council meeting to permit discussion of the New Town Hall budget at the March 9, 2005 Special City Council Meeting/New Town Hall meeting.

2. APPOINTMENTS AND PRESENTATIONS

2.1 Presentation by Santa Clara Valley Water District – Director Greg Zlotnick, District 5

Santa Clara Valley Water District Board Member Greg Zlotnick addressed Council. He thanked them for the opportunity to provide Council with an annual summary of the District's activity and update them on any significant projects relative to the Town. Zlotnick noted that District 5 encompassed nine additional cities besides the Town of Los Altos Hills.

Zlotnick provided an overview of the District's report that included: 1) there was currently no ongoing maintenance within the Town but that the District would continue to monitor the area during the storm season; 2) Adobe Creek Reach 5, the Town's major project, was progressing nicely and Zlotnick gave kudos to the members of the Collaborative for their efforts and recognized the efforts of City Manager Cassingham for her participation in the Collaborative. He advised Council that with the modifications to the original plan, it was no longer deemed a 100 year Flood Protection project but

considered an environmental restoration project with a flood control element and the District was seeking additional funding from Measure B monies; 3) Zlotnick thanked City Manager Maureen Cassingham for her role in encouraging the SCVWD Board to continue their involvement in the Urban Runoff Program. He believed that this would offer the District an opportunity to improve the program and reiterated City Manager Cassingham's dialogue as a key factor in their continuation of the Countywide program; 4) the Water Resource Protection Collaborative was developing guidelines and standards for protecting riparian corridors that would be provided to cities countywide to be used as a planning manual for development near a creek; 5) the Santa Clara Valley Water District had begun a comprehensive performance audit; 6) the State's recent budget manipulations with Special Districts revenue would cost the Water District \$25.5 million per year for two years. Zlotnick explained the formula for the consolidated agencies and noted that the District is losing approximately 10% of their property tax revenues because of the consolidation of their non-enterprise and enterprise revenue. They are working to rectify the situation and requested support from Council for AB1590 as it moved forward through the legislature; and, 7) the District was seeking to be certified as a Green Business.

Zlotnick thanked the Council. He expressed his appreciation to Mayor O'Malley for his participation on the Lower Peninsula Flood Control District and Watershed Advisory Board and his recent term as Chair.

Mayor Pro Tem Kerr requested information on the Water District's trails program. Zlotnick offered that the program could be affected near term by budget cuts but directed Town staff to contact Karna Carlson for additional funding information.

Mayor O'Malley thanked Director Zlotnick for his report and his support and assistance during the past years for the Town.

2.2 Appointment(s) to Environmental Initiatives Committee

Council had before them a Community Service Application from resident Peter Evans. Evans addressed Council and informed them that he was seeking a position on the Environmental Initiatives Committee and would like to approach the mission of the newly formed Committee from a technical slant using information and technologies.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Warshawsky and passed unanimously to approve the appointment of Peter Evans to the Environmental Initiatives Committee for a term of four years.

3. PLANNING COMMISSION REPORT

Planning Director Carl Cahill reported that the Planning Commission at their February 24, 2005 meeting had considered three items that included: Lands of Sindhu and Bertrand, a request for a tennis court that was approved by the Commission; Lands of Mad Manor, a bridge and service road project that was recommended for approval and would be forwarded to the City Council for consideration at their March 17th meeting; and, Lands of JFLP Partnership, a request for a two lot subdivision that was also

recommended for approval and was forwarded to the City Council for consideration at the March 17, 2005 meeting.

4. CONSENT CALENDAR

Items Removed: Item 4.4 (Kerr), Item 4.6 (Public-resident Jim Abraham), and Item 4.11 (Kerr)

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to approve the remainder of the Consent Calendar, specifically:

- 4.1 Approval of Minutes: Regular City Council Meeting February 3, 2005
- 4.2 Review of Disbursements: 01/27/2005 – 02/20/2005 \$938,198.86
- 4.3 Approval of Memorandum of Understanding with the City of Milpitas for Participation in the Bay Area Medical Review Consortium (BAMR) – Resolution # 13-05
- 4.5 Approval of Final Map, Blair Subdivision, 27161 Fremont Road – Resolution # 15-05
- 4.7 Approval of Request for Proposals for Auditing Services
- 4.8 Annual Summary of Town Projects and Activities - March 6, 2004 to Date
- 4.9 Approval of Amendment to the Memorandum of Agreement for the Santa Clara Valley Urban Runoff Pollution Prevention Program – Resolution #16-05
- 4.10 Approval of Proposed Resolution in Support of Local Libraries – Resolution #17-05
- 4.12 Approval of Proposed Resolution Approving Payment of Federal Utility Tax for the New Town Hall – Resolution #18-05
- 4.13 Approval of Proposed Resolution Approving Change Orders for the New Town Hall – Resolution #19-05

Items Removed:

- 4.4 Approval of Request for Amendment of Maximum Contribution to Employee Health Coverage Premiums – Resolution #14-05

Mayor O'Malley requested clarification on this item. Administrative Services Director Sarah Joiner explained that the amendment before the City Council was a reflection of the Town's policy to increase the premium caps to health insurance plans offered to Town employees to keep them in line with the increase in health insurance costs. O'Malley noted that this was an annual review and Joiner concurred.

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to approve the request for the amendment of maximum contribution to employee health coverage premiums – Resolution #14-05

- 4.6 Approval of Conditional Use Permit Amendment and Review for Existing Wireless Communications Facility; AT&T Wireless Services, Inc. (AWS); Purissima Road, Little League Fields (Town of Los Altos Hills); File #194-04-CUP

Jim Abraham, Viscaino Road, asked if there was a potential conflict with approval of the Conditional Use Permit in light of the recent discussions regarding the Purissima Little League site and the deed restrictions.

Following a brief discussion, Council directed the City Attorney and Planning Director to review the item and return to Council at their next meeting with their findings.

- 4.11 Approval of Proposed Resolution Approving Award of Landscaping and Data Cabling Contracts for the New Town Hall – Resolution #

Mayor Pro Tem Kerr explained that a public hearing for the landscape plan for the new Town Hall was scheduled for the March 9, 2005 Special City Council/New Town Hall Committee Meeting. He requested that this agenda item be continued for consideration at the Special City Council meeting following the public hearing. Kerr noted that a successful competitive bid had been received for the project and added that the bid was lower than the estimated cost. He requested Council authorize approval of the landscape plan and award of the contract to be approved at the March 9, 2005 Special City Council meeting. Council concurred.

Mayor Pro Tem Kerr noted that the data cabling bid had been successful and TBI was recommending award of the contract. The bid specifications, however, had not included the installation of a wireless access for Council Chambers.

Tony Vierra, TBI Construction Management, explained that the bid had included an alternate schedule for CAD VI cable. The New Town Hall IT Subcommittee was recommending installation of the CAD VI cable. Vierra noted that continuing consideration of the data cabling contract to the March 9, 2005 Special City Council meeting would not have an impact on the project construction schedule.

PASSED BY CONSENSUS: To continue agenda item 4.11 approval of proposed resolution approving award of landscaping and data cabling contracts for the new Town Hall to the March 9, 2005 Special City Council/New Town Hall Committee meeting.

5. UNFINISHED BUSINESS

5.1 Town Goals

5.1.1 Complete Town Hall On Time and On Budget

5.1.1a TBI Update

Tony Vierra, TBI Construction, provided a construction project update to the Council. He noted that the driveway was paved, the building had received a primer coat of paint and that the interior work was progressing nicely. Weather was impacting the installation of the utilities and he would provide more information on the utilities at the next Special City Council/New Town Hall meeting.

5.1.2 Identify and Fund Underground Project

Councilmember Warshawsky reported that the Undergrounding Subcommittee had met on February 15, 2005 to review the pre-meeting discussion scheduled between the Acting-City Engineer Dave Ross and the utility representatives. The Subcommittee was exploring the option of using the pathways as the utility trench to take advantage of economies of scale and to avoid digging up the roads. This would permit the revitalization of the pathways. This concept would be presented to the utilities for their input. Warshawsky added that the two residents who would be directly impacted by the project are both very appreciative and supportive of the project.

Acting City Engineer Ross explained that the first Undergrounding technical meeting was scheduled with the utilities for March 8, 2005 on site.

5.1.3 Complete Master Pathway Map

Mayor O'Malley reviewed the meeting format for the March 8, 2005 Special City Council meeting and public hearing on the Path Map. He explained that the map would be assessed by individual quadrants/sections. O'Malley added that representatives from the Planning Commission and Pathways Committee would be in attendance to offer their rationale for the pathway recommendations.

5.2 Health Insurance Benefits for City Councilmembers

Administrative Services Director Sarah Joiner addressed Council. She provided a background summary of the agenda item, explaining that Council at their February 3, 2005 meeting had directed staff to recommend a method whereby elected officials could participate in a Town-sponsored health plan at the Councilmember's expense. Staff had reviewed the options of programs currently in place and noted that with several changes to the existing definition of employee and by establishing a retirement plan, the Town would be able to offer health coverage to Councilmembers at a minimal cost to the Town.

Joiner reviewed the CalPERS health plans and the monthly costs. She advised the Council of the requirements that must be met for elected officials to participate in the Town-sponsored health plan that included: 1) amending the Town's definition of employee or annuitant to include City Councilmember; and 2) offer City Councilmembers health coverage at their expense, less State-mandated minimum

monthly contributions. The staff report included costs and Joiner noted that participation in the retirement and health plan would be optional.

Council discussion ensued. They congratulated staff on their efforts and noted that the plan would have minimal cost to the Town with the majority of the cost being paid by the Councilmember if they elected to participate in the CalPERS plan.

PASSED BY CONSENSUS: To direct staff to prepare the administrative work necessary for the contract changes to implement the plan.

6. NEW BUSINESS

6.1 Letter of Request for Allocation of Park Bond Funds – Supporters of Westwind Community Barn

Elaine Nelson, President, Supporters of Westwind Community Barn, addressed Council. Council had before them a letter from Nelson dated February 15, 2005 regarding a request for allocation of Park Bond monies for the development of a community room on the Westwind Barn site. Nelson read the letter into the meeting record. She noted that this was a fantastic opportunity for the Town to create a community center in a beautiful setting that could be utilized and enjoyed by the whole community. Nelson reviewed the fundraising activities scheduled by the Supporters and added that the proposed room would be a public-private venture.

Mayor O'Malley thanked Nelson and encouraged the Supporters to provide additional information regarding the proposal and costs to Council during the budgeting process.

6.2 Letter of Intent for Project Funding -Parks and Recreation Committee Co-Chairs

Jane Kawasaki, Parks and Recreation Committee Co-Chair addressed Council. She distributed a letter to Council dated March 1, 2005 from the Committee regarding the Parks and Recreation Committee Position Statement. Kawasaki explained that the intent of the letter was to inform the Mayor and Council of the Committees position on the allocation of Park Bond Funds. She read the letter into the record. The Committee was seeking funding for the paddock and shelter for the recreation program horses that would be housed at Westwind Barn.

Council suggested that the Committee develop a budget with cost estimates and timeline to assist them during review of the proposal during the budgeting period.

6.3 Adoption of Mid-Year Budget Adjustments – Resolution

Item continued to the March 17, 2005 City Council Regular Meeting.

6.4 Potential Approval of Waiver of Attorney-Client as to City Attorney's November 22, 2004 Memorandum to the Pathways Committee Regarding Dedication and Acceptance of Rights of Way

Les Earnest, Dianne Drive, explained that he had submitted questions to the Pathways Committee that had required an opinion from the City Attorney. The response had been provided under the attorney-client privilege and he was requesting a waiver of the privilege and a copy of the memorandum.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Warshawsky and passed unanimously to waive the attorney-client privilege and release the memorandum regarding dedication and acceptance of rights-of-way to the public.

Mr. Earnest was provided a copy of the memo.

7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

Councilmember Mordo reported on the Library JPA and thanked the Council for adopting the resolution in support of local libraries that had appeared on the meeting's Consent Calendar. He explained Measures A and B that would be before residents on the ballot that they would be receiving in April. The completed ballots had to be received by the Registrar of Voters by May 3, 2005 to be included in the ballot count. Mordo explained that the JPA was advocating the passage of both Measures adding that it was critical that the Measures pass or there would be a reduction in library hours of operation and staff layoffs. He requested that Council consider directing staff to release a press release that the Council had approved the resolution.

City Attorney Steve Mattas clarified that the press release could report the Council's action in support of the ballot measure that was taken at the meeting. No funds could be expended in support of the Measure.

PASSED BY CONSENSUS: To direct staff to issue a press release that the City Council had approved a resolution in support of local libraries and the ballot measure.

Mayor Pro Tem Kerr reported that the North County Cities are continuing to keep the pressure on the VTA to continue improvements on CalTrain and potentially to bring busing to the community.

Councilmember Warshawsky reported that he had attended the Emergency Communications Committee meeting and he requested clarification on an appropriate date for a neighborhood meeting on the proposed antenna. Planning Director Cahill suggested the meeting be scheduled in April, noting the heavy schedule of night meetings for staff and Council during the month of March.

Councilmember Jones reported that he had attended the Santa Clara Cities Association meeting. City Manager Cassingham, representing the Santa Clara County City Managers Association, had been a keynote speaker.

Mayor O'Malley reported that he with City Manager Maureen Cassingham and Acting City Engineer Dave Ross had met with the City of Los Altos to discuss the new sewer agreement. O'Malley noted that progress was being made on the subject of maintenance and monitoring, however, there was still no definitive answer to additional sewer capacity rights. The City of Los Altos has stated that they cannot commit until they have

completed their Master Sewer Plan. O'Malley noted that he would continue to work towards a resolution.

8. STAFF REPORTS

8.1 City Manager

City Manager Maureen Cassingham reported that for the second year, the Town had received an award for excellence in financial reporting from the California Society of Municipal Finance Officers. She congratulated staff and expressed her appreciation for their efforts. Cassingham added that the Town is also applying for national recognition of the financial reports.

Cassingham reported that Mr. Bill Lewis, Lewis and McCrary, had been selected as the facilitator for the City Council's goal setting retreat. Lewis would conduct interviews of Council and staff on May 12 and May 13 and lead the session on May 14. Cassingham noted that the fee for his services was nominal.

Cassingham advised Council that as President of the Santa Clara County City Managers Association she had appeared before the Santa Clara Water District Board of Directors on February 15, 2005. She had spoken on behalf of fifteen public agencies that participate with the District in the Santa Clara Valley Runoff MOA for an extension of the agreement. The District Board had recently voted to withdraw as fiscal agent of the program and their financial contribution. The program is critical to the communities and allows them to collaborate on their regional storm water permit. The District Board approved a one year extension and a one million dollar commitment.

Acting City Engineer Dave Ross reported that he had met with the VTA staff to discuss funding alternatives. He advised that he received several options of funding but noted that currently funds are relatively restricted. Ross offered that a swap of funds from VTA and the Town's General Funds might be a workable solution. He would report back to Council on his findings.

8.2 City Attorney

8.3 City Clerk

8.3.1 Report on Council Correspondence

9. COUNCIL-INITIATED ITEMS

9.1 Consideration of Possible Lease Negotiations by the Town of Los Altos Hills for the Bullis-Purissima School Site – Mayor Pro Tem Kerr

Mayor Pro Tem Kerr introduced this item and explained that he was exploring the option of the Town acting as an intermediary between the Bullis Charter School and Los Altos School District for the lease of the site. He noted that this might be a solution to the District's voiced concerns with Proposition 39 as a deterrent to leasing the facility to the Charter School. Kerr added that the Town, hopefully, would be considered a good tenant because of its past performance with the District.

Council discussion ensued regarding the proposal. Council concurred that this was a creative solution to the Prop 39 dilemma and supported a letter from the Mayor. Kerr noted that the letter would be written consistent with the California Education Code.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Warshawsky and passed unanimously to authorize the Mayor to send a letter to the Los Altos School District requesting negotiations with the Los Altos School District for the purpose of the Town being a master lessor of the site.

9.2 Consideration of Letter to the Los Altos City Council Requesting a Resolution in Support of the Los Altos School District Offering the Bullis-Purissima Site to the Bullis Charter School and Embracing the Bullis Charter School as a Valuable School of Choice within the Los Altos School District – Councilmember Mordo

Councilmember Jean Mordo introduced this item to Council and explained that a City Councilmember in Los Altos had approached him and offered to put a resolution before their Council in support of the Charter School being located at Bullis. Mordo was looking for Council concurrence on the proposal. Kerr noted that there was support on the Los Altos City Council for the resolution.

Council briefly discussed the request and concurred that they supported all alternatives to assist the Charter School in being located at the Bullis site.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Mordo and passed unanimously to authorize the Mayor to send a letter requesting the Los Altos City Council to entertain a motion in support of the Los Altos School District offering the Bullis-Purissima site to the Bullis Charter School and embracing the Bullis Charter School as a valuable school of choice within the Los Altos School District.

10. PRESENTATIONS FROM THE FLOOR

Milt McCall, W. Sunset Drive, former president of the Los Altos Hills Little League, expressed his concern with the potential loss of a Little League field. He acknowledged that he supported a school in Los Altos Hills but that his children were very happy with the program at Covington School. McCall explained that residents had committed money, time and energy to improve the Purissima Fields and encouraged the City Council to remember that 500 kids participate in the Little League program. He suggested that Councilmembers who have an interest in the Charter school recuse themselves from any vote on the subject.

Bob Garcia, Los Altos, Los Altos Hills Horsemen's Association, delivered a signed appeal (petition) to the Council urging them to keep the Town ring in its present location and to support the Horsemen's Association efforts to move forward with improvements to the ring. The appeal had 469 signatures with 250 signatures of Los Altos Hills residents and he noted that this was the first of many petitions. Garcia believed that the Bullis Charter School would be offered another year at the Egan Junior High site by the Los Altos School District and therefore would not require the Purissima site. In response

to several questions from Council, Garcia explained that the Association does maintain liability insurance with the Town listed as an insuree and he concurred that there had been more interest in the ring and Association with the recent publicity and discussion of the possibility of losing the facility.

David O'Such, resident, read into the record a resolution in support of the Little League adopted by the Los Altos Hills City Council in July, 1969. He advised the Councilmembers that any decision regarding the fields and ring would have an impact on the entire community.

Larry Russell, Los Altos Hills, suggested that there was no replacement field available in the Town. He noted that he believed the adverse consequences to a large number of baseball players to losing the field out weighed the benefit to the fewer number of children that would benefit from the school being located at the Purissima site. Russell asked that any Councilmember that did fundraising, donated or supported the Bullis Charter School recuse themselves from any future vote regarding the issue. He maintained that a vote of the people would be required if the use of the site was changed from recreation and open space as defined in the Town's General Plan. Russell read from the Land Use Element and suggested that an environmental study would be required before a school could be located at the site due to the noise from Highway 280.

Lori Askew, Robleda Road, suggested that it was now apparent that the Los Altos School District would continue the lease for the Charter School at Egan and questioned why the Council was still moving forward with changing the deed on the Purissima site. She believed it was no longer an issue of survival for the School to find a location and was concerned that a modification to the deed would make it more vulnerable to other uses.

Mayor Pro Tem Kerr noted that the District had not formally extended the lease to the Bullis Charter School. Councilmember Mordo suggested that the lease at Egan would be a temporary solution for the School, however, he believed that a location in the Town was critical to their survival and fundraising efforts.

Barry Eggers, Adobe Lane, explained that he was a volunteer with the Little League and this was his first City Council meeting. He offered that the fields were a model for other baseball playing fields and Little League programs. Eggers added that the fields were an important recreation area that permits children, boys and girls, from surrounding public and private schools to come together for an activity. He asked that Council not compromise this outstanding youth program for the kids.

Nancy Kellum, Public Education Committee, explained that the recent Public Education survey conducted by Godbe Research for the Committee had found that 60% of the respondents supported the Bullis Charter School and favored the Town spending Town resources and staff time to find a home for the School in Los Altos Hills. She offered that if the District had maintained the Bullis site and field properly, this discussion would be mute.

David Rock, Portola Valley, Little League President, extended an invitation to the City Council and community to attend the Opening Day Ceremony and festivities. He explained that this was not about a battle between the Little League and the Charter

School but he acknowledged that the Little League needed the field for the development of the 9-10 year old players and maintained that it was vital to the program. Rock added that people involved in Little League believe that all four of the fields were necessary. In response to previous suggestions made by speakers at this and prior meetings that the Little League publicly supports the School, he explained that the Little League is a non-profit organization and it would not be appropriate for the Board to take a position. He added that it was their belief that the Little League were stakeholders in the fields.

Jolon Wagner, Robleda Court, stated that she had an additional petition with 75 signatures for the Council from advocates in support of saving the Town Horse Ring. She suggested that the City Council talk with their constituents about the Town Horse Ring and Little League Fields and voiced her opinion that they were out of touch. She would continue to gather signatures from people opposed to losing the recreation facilities. Wagner added that she believed the residents that reside near the area are very concerned about additional traffic that would be created by a school at the site.

Peter Evans, La Loma, Bullis Charter School Board Member, noted that he was addressing Council as a resident. He expressed his support for the City Council continuing to “look at the big picture” and not defining the issue with a narrow vision. Evans thanked the Council for their continued efforts to find a permanent solution to the situation that would hopefully return the Bullis Charter School to the Bullis site.

Peggy Rutner, Magdalena Road, explained that she had resigned from the Public Education Committee because she believed that it was a “front” for the Charter School. Her children attend Loyola and Mountain View High. Rutner did not believe that the PEC survey had included any responses from residents that resided in the south side of Los Altos Hills and she felt that they were not being represented.

Andrew Eggers, Little League Player, addressed Council and explained that he had some of his best memories from the field that the Charter School wants to use and he did not think it would be a good idea to take away the best memories from some kids that would play there soon.

11. PUBLIC HEARINGS

- 11.1 A Review to Consider an Amendment and Renewal of the Conditional Use Permit for the Westwind Community Barn. The Recommendation Includes Changes to the Maximum Number of Horses Onsite from 50 to 54 and Amendment of the Vegetation Plan. APN:182-28-039; CEQA Status: Categorical Exemption per Section 15301, Class 1. Lands of Los Altos Hills, 27210 Altamont Road (CUP#39-02)

Councilmember Warshawsky recused himself from consideration of this item due to the proximity of his residence within 500 feet of the application.

Planning Director Carl Cahill introduced this item to Council. He reviewed the staff report that was before Council and noted that on January 27, 2005, the Planning Commission had recommended approval of the request for the Conditional Use Permit renewal with two revised conditions of approval that included: 1) the perimeter of the

upper hillside portion of the feeding pasture shall be permanently fenced and animals shall have no access to the area; and 2) the number of horses to be maintained shall not exceed 54.

Cahill explained that the previous conditions had called for a revegetation and restoration plan for the hillside portion of the upper pasture but that further review had shown that this area had very little soil and was weathered bed rock. The Town's geologist had reviewed the site and found that there was no potential erosion problem. Cahill added that the increase in horses was from fifty (50) to fifty-four (54) with the additional horses to be used for the Town's recreation program.

O'Malley requested clarification on the where the additional horses would be maintained. Jane Kawasaki, Parks and Recreation Committee, explained that the Committee would be investigating a paddock for the horses.

OPENED PUBLIC HEARING

None

CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Jones and passed unanimously to approve the amendments and renewal of the Conditional Use Permit for the Westwind Community Barn with the following roll call vote:

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones, and Councilmember Mordo
NOES: None
ABSENT: None
ABSTAIN: None

Councilmember Warshawsky recused himself from consideration of the item.

Passed by consensus of the Council to adjourn to the Closed Session at 8:37 p.m.

12. CLOSED SESSION

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Government Code Section 54956.9(a): Town of Los Altos Hills v. Los Altos School District

CLOSED SESSION: Pursuant to Government Code Section 54956.8: Conference with Real Property Negotiator-
Property:-Reversionary Interest in APN182-04-073 held by Palo Alto Unified School District
Agency Negotiators: Mayor Pro Tem Breene Kerr and Councilmember Craig A.T. Jones
Negotiating Parties: Town of Los Altos Hills and Palo Alto Unified School District

Under Negotiation: Terms and Conditions Related to Town's Acquisition of District's Reversionary Interest in Property

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 case

CLOSED SESSION: EMPLOYEE PERFORMANCE EVALUATION:CITY
MANAGER: PURSUANT TO GOVERNMENT CODE SECTION 54957

CONFERENCE WITH LABOR NEGOTIATOR(S): PURSUANT TO GOVERNMENT
CODE SECTION 54957.6: AGENCY DESIGNATED REPRESENTATIVE:
MAYOR/CITY ATTORNEY;UNREPRESENTED EMPLOYEE: CITY MANAGER

The City Council reconvened to the Regular City Council meeting at 10:10 p.m.
Council provided direction to staff. Action was taken by the Council.

13. ADJOURNMENT

There being no further business, the Regular City Council meeting was adjourned at 10:11 p.m.

Respectfully submitted,

Karen Jost
City Clerk

The minutes of the March 3, 2005 Regular City Council Meeting were approved as presented at the March 17, 2005 Regular City Council Meeting.